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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ALASKA

INSIDE PASSAGE ELECTRIC  
COOPERATIVE and ALASKA  
POWER ASSOCIATION,

Plaintiffs,

v.

U.S. DEPARTMENT OF  
AGRICULTURE; and THOMAS  
VILSACK, in his official capacity as  
U.S. Secretary of Agriculture,

Defendants.

Case No. \_\_\_\_\_

**DECLARATION OF JOHANNA “JODI” M. MITCHELL**

I, Johanna “Jodi” M. Mitchell, declare that:

1. I make this statement of my own personal knowledge and if called to testify, could and would testify truthfully thereto.

2. I am a resident of Juneau, Alaska, and the Chief Executive Officer for the Inside Passage Electric Cooperative (IPEC). I have served in this role since 2008. I previously served as IPEC's Chief Financial Officer from 1998–2008. And I've been with IPEC since 1993.

3. IPEC is a non-profit, consumer owned and governed electric utility (i.e., an “electric cooperative”) that serves dispersed indigenous communities in remote areas of Southeast Alaska.

4. Because of the geography of the region, IPEC operates four separate grids on different islands, which service the communities of Hoonah, Kake, Chilkat Valley, Angoon, and Klukwan.

5. Currently our customers pay some of the highest energy rates in Alaska. By comparison, in 2022 the average cost/kWh for Juneau was 12¢, whereas IPEC's average cost/kWh was 65¢.

6. These high energy costs are a problem for the low-income communities we serve. And, unfortunately, these high costs inhibit economic development.

7. At present IPEC relies heavily on diesel fuel to power the diesel-electric generators that generate our electricity. This is in large part why IPEC's energy costs are so high.

8. IPEC's utility rates fluctuate dramatically, depending on the ever-changing cost of diesel. But IPEC can stabilize and reduce costs to our

customers by further developing hydroelectric, geothermal, and other renewable energy projects.

9. IPEC also desires to pursue renewable energy projects because of the significant environmental benefits.

10. For these reasons, IPEC has both near-term plans and long-term objectives to develop renewable energy projects that will reduce our dependence on diesel. But the U.S. Department of Agriculture's recent decision to reimpose the Roadless Rule stands in the way of some of our plans.

11. The Inside Passage communities we serve are surrounded by the sea and the Tongass National Forest. This means that we have few options for developing our infrastructure without road access into the Tongass. Without access roads through the Tongass, IPEC's infrastructure will remain largely frozen in time—which means our customers will likely continue to pay high rates for diesel powered electricity.

12. IPEC's long-term energy infrastructure plans require road access through the Tongass. That is so because IPEC would otherwise be limited to transporting necessary building materials and equipment by helicopter.

13. It is economically infeasible, and sometimes logistically impossible, for IPEC to transport building materials and equipment by helicopter. As such, the Roadless Rule inhibits IPEC from pursuing its infrastructure goals because IPEC cannot justify devoting resources to hiring

consultants and engineers to draw plans, or to otherwise explore potential projects, knowing that the Roadless Rule precludes road access through the Tongass.

14. For example, IPEC would like to pursue geothermal projects in the Tongass to provide clean energy to Hoonah. Studies confirm the potential for generating geothermal electricity from nearby hot springs. IPEC would likely pursue such projects if it could attain road access. But IPEC cannot invest resources into drawing-up plans for potential projects that it has no hope of developing with the Roadless Rule in place.

15. In addition to its goal of developing new renewable energy sources, IPEC also wants to improve its energy infrastructure by building an intertie, through the Tongass, to connect the grids serving Kake and Petersburg on Kupreanof Island. This is a project IPEC has pursued in partnership with the Southeast Alaska Power Agency (SEAPA).

16. To facilitate this project, SEAPA applied for a special use permit. But because of the Roadless Rule, the permit was approved on condition that the transmission lines would have to be constructed using helicopters to transport necessary materials and equipment.

17. The cost of the Kake-Petersburg Intertie Project was originally estimated around \$17.5 million; however, when limited to using helicopters, the project costs ballooned to \$65 million in 2010 dollars. This makes the Kake-

Petersburg Intertie Project economically infeasible. There is no way that IPEC can afford such costs for this project, even when working in partnership with SEAPA.

18. As a result of these heightened costs, the Kake-Petersburg Intertie Project remains stalled. But IPEC would resume efforts to further this project if it could obtain road access.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Executed on the 6<sup>th</sup> of April, 2023, at Juneau, Alaska.

  
JOHANNA "JODI" M. MITCHELL